



CITY OF EUREKA
DEVELOPMENT SERVICES DEPARTMENT
Community Development Division
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Coastal Development Permit

Overview

The Coastal Act of 1976 established detailed policies for land use within the Coastal zone, and charged local governments with the responsibility to incorporate these policies into their planning and zoning regulations. Generally, the Coastal Act sets forth regulations which require the City to process Coastal Development Permits for all proposed development in the Coastal Zone. The Coastal Act, as well as the City's Local Coastal Program, provides for exemptions and exclusions for certain types of projects. A planner can help you determine if your project qualifies for an exemption, and if not, how to begin the Coastal Development permit process.

How to Apply

Coastal Development Permit applications are available at the Community Development Department, 3rd floor, City Hall, or on the Department's website at www.ci.eureka.ca.gov. Staff can assist you with the materials needed for a complete application packet. Once you have put together a complete application packet, return the application packet along with the application fee to the Department for processing.

The Process

Step 1: Application Acceptance, Department Review

Once your application has been submitted and fees collected, Staff will perform a preliminary review of the application to determine if the application is complete. Should your application be found incomplete, you or your agent, if you have designated one, will be contacted and advised what items must be submitted before processing can continue. You will have 120 days from the date of the contact (e.g. letter, telephone call, e-mail) to submit the requested material, or the review of your project will expire unless an extension is granted prior to the expiration. Once expired, a new, complete application, including all supplemental material and a full fee is required to re-initiate the review process.

Step 2: Referrals

Once your application has been accepted as complete, the assigned planner will send copies of your application materials to other City departments and public agencies having jurisdiction or authority over your project. If the responding Departments or agencies identify issues that must be resolved prior to the continued processing of your application, or if additional information is required by those Departments or agencies, the assigned planner will contact you or your agent, if you have designated one, and advise you of what is needed.

Step 3: Environmental Review

When the referral process is complete, the assigned planner will review the project in accordance with the California Environmental Quality Act (CEQA) to determine if the project is statutorily or categorically exempt from CEQA, or if further environmental review is required. If the project is exempt from CEQA, then Step 3 is complete. If the project is not exempt from CEQA, then the required environmental document must be prepared and circulated for agency and public comment.

Step 4: Staff Review and Reporting

Staff will prepare a written report that discusses the legal findings and presents staff's recommendations. The findings will determine if your proposed project will: cause serious public health, safety or welfare problems; adversely impact coastal resources; or conflict with the policies of the City's Local Coastal Program. A copy of the staff report will be sent to you.

Step 5: Public Notice and Hearing

The Director of Community Development and the City Council have the authority to approve, approve with conditions or deny your Coastal Development Permit. Staff will schedule a public hearing before one of these decision makers. A Notice of the Public Hearing will be sent to all property owners and residents within 300 feet of your property. The notice, which must be mailed at least 10 calendar days prior to the hearing will state the date, time, and place for the public hearing. You and/or your agent are encouraged to attend the Public Hearing. At the public hearing, any person may present verbal and/or written testimony for or against the project. The Director or Council will take into account the whole record, including all of the public testimony before making their decision.

Step 6: Appeals

You as the applicant, or any aggrieved person, or the City Council on its own motion may appeal decisions of the Director of Community Development to the City Council. The appeal must be filed with the City Clerk within 10 calendar days of the Director's decision. Appeals must be submitted in writing on forms provided by the City Clerk and be accompanied with the required fees.

Unless the project is in a State appeal area, decisions of the City Council are final. If the development is within a State appeal area the decision of the City Council may be appealed to the State Coastal Commission. Appeals to the Coastal Commission must be filed with the Coastal Commission on their forms within 10 working days of the City Council's decision. For more information please contact the State Coastal Commission at (707) 445-7833.

Lapse of Permits

The Coastal Development Permit will lapse if construction or implementation of the permit has not commenced within two years from the date of the final approval of the Coastal Development Permit. Once such work has occurred, the Coastal Development Permit is vested. If you believe your Coastal Development Permit will lapse, you may request a one year extension of your permit. Please note that applications for extensions must be submitted before the permit lapses, and may be granted only when the circumstances and conditions of the original approval have not changed.

Other Permits and Reviews

In addition to completing the Coastal Development Permit process, you may be required to obtain additional permits or reviews prior to proceeding with your project, such as Design Review, Historic Preservation Review, Building permits, Encroachment permits, and/or permits from Caltrans, Department of Fish and Game, or other agencies. The referral process should identify these additional requirements, and Community Development Department Staff can discuss with you what additional permits or reviews may or will be required.

How to Get Help

Call, e-mail or visit the Community Development Department; we are available to discuss your project with you. You may also wish to hire a consultant, such as an architect, engineer, land surveyor, or professional planner to assist you; a listing of qualified professionals is available in the yellow pages of the phone directory.